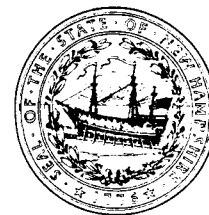




The State of New Hampshire  
**Department of Environmental Services**



September 27, 2004

**Michael P. Nolin**  
Commissioner

**LETTER OF DEFICIENCY #WSEB #04-165**  
Certified Mail #7000 0600 0023 9933 7715

Larry Koch, Sr.  
California Brook Estates  
93 California Brook Road  
PO Box 627  
West Swanzey, NH 03469-0627

Subject: Swanzey - Public Water System: California Brook Estates (EPA #2303020)

Dear Mr. Koch:

The records of the NH Department of Environmental Services (DES) show that the California Brook Estates water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit radionuclide samples according to the system's established sampling schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 324.

DES records show that the subject water system failed to submit the following chemical sample results for the following monitoring periods (calendar quarters).

<b>Quarter 1 – 2004:</b>	<b>Compliance Gross Alpha Uranium</b>
<b>Quarter 2 – 2004:</b>	<b>Compliance Gross Alpha Uranium</b>

Env-Ws 324.07 requires the collection of four consecutive quarterly samples to determine compliance with the maximum contaminant levels of compliance gross alpha, combined radium 226 & 228, and uranium. As a result of the failure to submit the above-described samples, the water system's master sampling schedule has been modified by extending the initial monitoring period for compliance gross alpha and uranium by two quarters (Q1 and Q2 of 2005) to provide for the required four consecutive sampling quarters. A copy of your new master sampling schedule is enclosed. Please destroy any copies of previously issued schedules.

DES believes the monitoring/reporting violations cited above can be addressed by taking the following actions:

1. **Between January 1 and March 31, 2005**, submit a compliance gross alpha and a uranium sample to the State laboratory or a State-certified laboratory; and
2. **Between April 1 and June 30, 2005**, submit a compliance gross alpha and a uranium sample to the State laboratory or a State-certified laboratory.

In the event compliance is not achieved within this period, DES may initiate formal action against the water system, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

If you have any questions regarding this letter, please contact Alan Leach at (603) 271-2854 or by email at [aleach@des.state.nh.us](mailto:aleach@des.state.nh.us).

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Rene Pelletier", is written over the word "COPY" which is printed in large, bold, outlined letters.

Rene Pelletier, P.G., Manager  
Land Resource Programs

Encl: Master Sampling Schedule

cc: Gretchen R. Hamel, DES Legal Unit Administrator (w/o encl.)  
Robert Gordon, Primary Operator  
Robert DeRocher, Town of Swanzey Health Officer (w/o encl.)  
EPA, Region 1 (w/o encl.)  
File